

IN THE UNITED STATES BANKRUPTCY COURT FOR THE
SOUTHERN DISTRICT OF MISSISSIPPI

IN RE: ELIZABETH HARVEY

DEBTOR(S)

ELIZABETH HARVEY and EILEEN N. SHAFFER, TRUSTEE

CASE NO. 08-01677-EE

RESPONDENTS

CITIFINANCIAL AUTO CREDIT, INC.

CREDITOR

MOTION TO LIFT THE AUTOMATIC STAY AND TO DIRECT ABANDONMENT

COMES NOW CitiFinancial Auto Credit, Inc. (CitiFinancial), by counsel, and moves the Court to lift the automatic stay and to direct the trustee to abandon certain property, as follows:

1. CitiFinancial holds a perfected security interest in one (1) 2004 Ford Expedition vehicle bearing VIN 1FMEU15W84LA04794; true and correct copies of the security instruments are attached hereto as composite "Exhibit A".

2. CitiFinancial is owed a net balance of \$24,727.70 on this vehicle. This vehicle has a value, for the purpose of this motion, of \$13,425.00. There is no non-exempt equity in this vehicle for the benefit of the estate.

3. CitiFinancial requests that the order granting relief from the stay entered in this case be excepted from the stay provisions of *Bankruptcy Rule 4001(a)(3)*.

WHEREFORE, CitiFinancial moves the Court to grant relief from the automatic stay and to direct the trustee to abandon the above property; and, CitiFinancial requests such other relief to which it may be entitled in the premises.

Respectfully submitted,

Citifinancial Auto Credit, Inc.

by: /s/Larry Spencer, Its Attorney

KING & SPENCER, ATTORNEYS
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JACKSON, MS 39205
PHONE: 601-948-1547, MB #7730

CERTIFICATE OF SERVICE

I, Larry Spencer, Attorney for CitiFinancial Auto Credit, Inc., do hereby certify that I have this day mailed, via CM/ECF and/or United States Postal Service, a true and correct copy of the above and foregoing "Motion to Lift the Automatic Stay and to Direct Abandonment" to:

Robert Rex McRaney, Jr.
mcraneymcraney@bellsouth.net
ATTORNEY FOR DEBTOR(S)

Eileen N. Shaffer
enslaw@bellsouth.net
TRUSTEE

Ronald H. McAlpin
USTPRegion05.JA.ECF@usdoj.gov
ASST U.S. TRUSTEE

SO CERTIFIED this the 8th day of August 2008.

/s/Larry Spencer